

KANAB CITY COUNCIL MEETING

JUNE 23, 2015

KANE COUNTY COMMISSION CHAMBERS

PRESENT: Mayor Robert D. Houston, Council Members Kirt Carpenter, Cheryl Brown, Kent Burggraaf, Brent Chamberlain and Joe B. Wright, City Recorder Joe Decker, City Treasurer RaeLene Johnson and Attorney Jeff Stott.

WORK MEETING: The Council discussed whether or not to have a central polling place for voting instead of the 4 separate precincts. The County is looking to have a central voting place and wanted the Council's input. Council Members Carpenter, Brown and Burggraaf agreed to change to the central polling place, and Council Members Chamberlain and Wright wanted to keep it as it is at the present time. Mr. Decker reported on the progress of the swimming pool construction. Nothing has changed; the City is still waiting for one of the parties to sign construction agreement. Council Member Chamberlain gave a report from Tyler Cornell, Recreation Director, on the events that were scheduled for June. Heat Stroker went really well. There were 40 teams in town for the tournament. There were some races which were very successful. There were six coed teams and six ladies teams for a volleyball league. Jacob Hamblin Days had a good turnout for the rodeo. Mr. Cornell would like to see a horseshoe tournament next year. There was also a youth basketball camp. There were over 100 kids participating.

Golf Course: Mayor Houston explained to the Council that he and Mike have had a lot of discussions. He hasn't brought anything back to the Council because there has not been anything firm. Mayor Houston said that is why he asked Mike Schollian to come before the Council to explain his ideas and thoughts. Mr. Mike Schollian addressed the Council. He said when he had purchased the golf course, the economy was very favorable, but it has gone downhill since that time. He said he feels bad about what is going on at the golf course. It became financially impossible for him to run the golf course. He was subsidizing the golf course with his Treasure Trail Motel. The water contract with the City had expired, so that was another \$60,000 he didn't have. He said they are trying to maintain the course in hopes there can be an arrangement made that will make everyone happy. He explained that it is his and his partner's goal to build a resort on the back of the driving range. There is 600 acres there. He wants to make it a destination location which includes improvement of the existing nine holes. Mayor stated he understands as a businessman why Mr. Schollian can't keep the golf course open, but as the Mayor he feels an impact to the City. The City needs to make every effort to try and keep the course open and available for the community. He wanted to know if the City could keep the golf course open and operable for 18 months to 2 years while Mr. Schollian works on his resort. Council Member Burggraaf asked Mr. Schollian if he wanted the City to take the golf course or if he wanted to maintain it himself. Mr. Schollian said that he has talked about turning it over to the City and then the City turning it back to him. That would help with the taxes for that period of time. He really wants to leave the golf course closed until he is ready to develop the resort. He can't afford to keep it open. He can't subsidize the golf course \$60,000 to \$100,000 a year anymore. He was approached by the Mayor to see if something

could be worked out. Council Member Burggraaf stated that if Mr. Schollian is willing to give it to the City then let's get it on paper. There is no obligation to help Mr. Schollian, but it is an economic benefit for Kanab. Mayor stated he didn't feel Kanab City could stand the full amount to subsidize the golf course. He wanted to get to a point where he could go and talk with the County and the homeowners. Mayor said his number one priority is not to drain the finances of Kanab City. Mayor Houston said the possibility of subsidizing the golf course by paying \$5,000 a month for nine months (\$45,000 a year) to Mr. Schollian to manage the course. He in turn would put \$1500 a month into it. Kanab City would provide the water. That is what is on the table right now. Council Member Burggraaf felt that he couldn't agree with paying someone to manage the course that has run it into the ground. Mr. Schollian said he took offense to what he said. When he bought the golf course, it was a mess. He put approximately \$300,000 into the course. Council Member Chamberlain said it is very difficult for the City to put over \$45,000 a year into a private business. He felt that if the City invests capital into the golf course, it won't go back to Mr. Schollian for free. Mayor stated that part of the problem with the golf course there isn't enough people playing on it. Council Member Burggraaf told Mr. Schollian if he wanted to save money on taxes he could deed the course to the City right now. It already has City water being used on the course. Council Member Burggraaf feels that the City can maintain it the way it is currently being maintained. Mayor Houston said that if the Council is willing to commit anywhere from \$80,000 to \$100,000 to keep the course operational with no improvements, we can do it. If we can say the County and the Homeowners are going to contribute so much, we can do it. We could wipe out what reserves we have in two to three years by managing the golf course. Council Member Carpenter wants the course to operate as a golf course. He doesn't want it maintained as a park. Council Member Chamberlain felt that there is very little time left. The decision whether to have the City take over the golf course needs to be done quickly before the season is over. Mr. Jim Clark, a homeowner on the golf course, said he would be willing to help with the maintenance. Ms Bonnie Anderson wanted to know why Mr. Schollian came to the City for financial help. He has money from selling his motel. Mayor Houston said he didn't come to the City, the City came to him. Mr. Jim Peters asked about the water in the reservoir. Mayor stated that water belongs to the Irrigation Company and the Water Conservancy District. Mr. Ken Stirland said that four people could maintain the golf course. He wanted to know where the \$300,000 that Mr. Schollian said he put into the course went. He couldn't see that many improvements. It's a million dollar piece of property. He couldn't see him just walking away from it. Mayor Houston asked Mr. Schollian to talk with his partners and get back to the City what he would be willing to do.

The Council discussed General Ordinance Chapter 3: Municipal Government. Attorney Stott said a lot of things were deleted from the ordinance that was already included in the State Code. Council Member Wright felt that the Ordinance should include Kanab's classification. Also, in Section 3-502 Time, Place –Exceptions the meetings shall begin right after the work meeting which begins at 6:30 p.m. Remove "begin promptly at 7:00 p.m."

Mayor Houston opened the regularly scheduled meeting at 7:45 p.m. and roll call was taken. Prayer was offered by Joe B. Wright and the pledge was led by Cheryl Brown.

APPROVAL OF AGENDA: A motion was made by Council Member Wright and 2nd by Council Member Chamberlain to approve the agenda of June 23, 2015. Motion passed unanimously.

APPROVAL OF MINUTES: A motion was made by Council Member Brown and 2nd by Council Member Carpenter to approve the minutes of the June 9th meeting. Motion passed unanimously.

APPROVAL OF ACCOUNTS PAYABLE VOUCHERS: A motion was made by Council Member Wright and 2nd by Council Member Chamberlain to approve the check register of June 18, 2015 in the amount of \$202,483.01 and the vouchers. Motion passed unanimously.

PUBLIC COMMENT PERIOD: Mr. Jeff Frey stated he hasn't seen any improvements on the golf course since Mr. Schollian purchased it. He said a lot of people have quit playing golf on the course because of the owner's attitude. They would rather go somewhere else to play. He doesn't think that Schollian should have anything to do with the golf course.

ZONE CHANGE FOR PARCEL K-16-2A (61 WEST 100 SOUTH) FROM RM-7 TO C1: A motion was made by Council Member Burggraaf and 2nd by Council Member Wright to adopt Ordinance #6-5-15 O changing the zone at 61 West 100 South from RM-7 to C1 and changing Exhibit G, zoning map, and adopting staff findings. Motion passed unanimously by roll call vote.

ORDINANCE 6-3-15 O AMENDING THE LAND USE ORDINANCE CHAPTERS 1, 4, 16, 17, 18 AND 19 BED AND BREAKFAST: In the Ordinance Bed and Breakfast is currently listed as a permitted use in C1, C2 and C3 zones and a conditional use in all single-family residential zones. Council Member Wright was concerned with changing the ordinance. He felt the Bed and Breakfast needed a conditional use permit in a residential zone. He was concerned with signs and parking in residential areas. He felt the conditional use permit could address this problem. A motion was made by Council Member Burggraaf and 2nd by Council Member Chamberlain to adopt Ordinance 6-3-15 O amending the land use ordinance 1, 4, 16, 17, 18 and 19 Bed and Breakfast not including Chapter 7 and adopting staff findings. Motion passed unanimously by roll call vote.

PUBLIC HEARING/NUISANCE ORDINANCE: A motion was made by Council Member Wright and 2nd by Council Member Brown to go in and out of public hearing at the discretion of the Mayor to discuss the Nuisance Ordinance. Motion passed unanimously. Mr. Allen Gilberg said that the current updated nuisance ordinance was not on the web site. Mr. Jeff Frey asked about his suggestion of allowing the Code Enforcement Officer to respond to a complaint if only one person complains. He was told that the Code Enforcement Officer can follow up on a complaint of a nuisances on private property that he has determined to be a health or safety hazard.

Out of Public Hearing

ORDINANCE 6-4-15 O AN ORDINANCE AMENDING KANAB CITY GENERAL ORDINANCE SECTION 10-300 THROUGH 10-359 NUISANCE ORDINANCE: A motion was made by Council Member Carpenter and 2nd by Council Member Chamberlain to adopt Ordinance #6-4-15 O amending the General Ordinance Section 10-300 through 10-359 Nuisance Ordinance effective August 1, 2015. Motion passed as follows:

Council Members Carpenter, Burggraaf, Chamberlain and Wright voting yea and Council Member Brown voting nay.

A motion to adjourn was made by Council Member Wright and 2nd by Council Member Chamberlain. Motion passed unanimously.

MAYOR ROBERT D. HOUSTON

RECORDER JOE DECKER